IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LDG.) NO. 3169 OF 2005

Sarva Shramik Sanghatana & others. ... Petitioners
Versus.
The Century Textile Industries
Ltrd. and others. ... Respondents.

Shri N.M.Ganguli for the Petitioners.

Shri S.M.Naik for Respondent No.1.

Ms.Hutoxi Tavadia i/by Shri Mahesh Thorat for
Respondent No.2.

Shri R.M.Sawant, G.P. for Respondent No.3.

CORAM : H.L.GOKHALE, &
ABHAY S. OKA, JJ.

DATED : 3rd FEBRUARY, 2006.

P.C.:

1. Heard Shri Ganguli in support of this petition. Shri Naik appears for Respondent No.1. Ms.Tavadia appears for Respondent No.2 and Shri Sawant, G.P. appears for Respondent No.3.

2. The petition makes a grievance with respect to an agreement dated 5th September 2005 which has already been signed between Respondent No.2 which is the representative and registered union and the first Respondent company. A grievance is made that it does not take into consideration the interest of the workers. The agreement is entered into by the registered and the representative union after following the due process of

notice of change. The authority to enter into the agreement on behalf of the employees vests with the registered and representative union. In the present case no worker is being retrenched. Shri Naik has reiterated this across the Bar, which is also recorded in the speaking order passed by the Assistant Labour Commissioner. The scheme of reorganisation and voluntary retirement is proposed which is open till 28th February 2006. Nobody is being forced to accept terms of the scheme. Certain machinery is likely to be moved out in the event the employees opt for this scheme. There is no force employed in any manner. Having seen the terms of the agreement, we are not inclined t

interfere in the order. Petition is dismissed.

(H.L.Gokhale, J.)

(Abhay S.Oka, J.)